

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
HELENA DIVISION

EMILIO NOGUERO-MARRERO

PETITIONER

v.

NO. 2:05CV00099 JLH/JFF

LINDA SANDERS, Warden,  
FCI Forrest City, Arkansas

RESPONDENT

**ORDER**

The Court has reviewed the Proposed Findings and Recommendations received from Magistrate Judge John F. Forster, Jr., and the objections filed in response, and has further reviewed the relevant record *de novo*. The Findings and Recommendations are adopted in their entirety as this Court's findings.

IT IS THEREFORE ORDERED that Petitioner's petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241 is dismissed without prejudice for lack of subject matter jurisdiction upon Respondent's motion.

IT IS SO ORDERED this 9th day of September, 2005.

  
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UNITED STATES DISTRICT JUDGE